

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Jeffrey Marc Siskind 3465 Santa Barbara Drive Wellington, FL 33414</p>	<p>FOR COURT USE ONLY</p>
<p><input type="checkbox"/> Attorney for:</p>	
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</p>	
<p><input checked="" type="checkbox"/></p>	
<p>In re: Jeffrey Marc Siskind,</p>	<p>CASE NO.: 23-11720-VZ CHAPTER: 13</p>
<p>NOTICE OF OBJECTION TO CLAIM</p>	
<p>DATE: 09/18/2023 TIME: 11:30 am COURTROOM: 1368 PLACE: 255 E Temple Street Los Angeles, CA 90012</p>	
<p>Debtor(s).</p>	

1. TO (*specify claimant and claimant's counsel, if any*): Ally Bank: Arvind Rawal, Esquire
 2. NOTICE IS HEREBY GIVEN that the undersigned has filed an objection to your Proof of Claim (Claim #) filed in the above referenced case. The Objection to Claim seeks to alter your rights by disallowing, reducing or modifying the claim based upon the grounds set forth in the objection, a copy of which is attached hereto and served herewith.
 3. **Deadline for Opposition Papers:** You must file and serve a response to the Objection to Claim not later than 14 days prior to the hearing date set forth above.

IF YOU FAIL TO TIMELY RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

Date: 08/07/2023

Jeffrey M. Siskind, Pro Se
Printed name of law firm

Signature

Date Notice Mailed: 08/07/2023

Printed name of attorney for objector

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE: CASE NO. 2:23-BK-11720-VZ
JEFFREY MARC SISKIND, CHAPTER 13
Debtor.

OBJECTION TO PROOF OF CLAIM NO. 5

COMES NOW the Debtor, Jeffrey Marc Siskind, Pro Se, and files this Objection to Proof of Claim No. 5, and states:

1. Debtor filed its Chapter 13 petition on March 23, 2023.
2. The deadline for filing non-governmental Proof of Claim (“POC”) was June 1, 2023.
3. On June 1, 2023, Ally Bank (“Claimant”) filed a POC which was supported by attached documentation consisting of an automobile sale contract that contained language providing for redemption of a repossessed vehicle, and a power of attorney to AIS Portfolio Services permitting the servicing of Claimant’s claims in bankruptcy proceedings.
4. Debtor objects to the POC filed by Claimant submitted on Official Form 410.
5. In Part 2, Section 7 of Claimant’s POC, Claimant alleged that \$5,480.71 is the amount of its claim based upon the allegation in Section 8 that stated as a basis “Money Loaned (See Attached).”
6. This claim was filed in bad faith.
7. This claim is subject to the settlement reached in *Ally Financial, Inc. v. Alberta Haskins*; case no. 16JE-AC01713-01 in the 23rd Judicial Circuit Court for Jefferson County Missouri (the “Settlement”). This was a class action lawsuit, the basis of which was Ally

Financial Inc.'s failure to properly notice pre-repossession and post-repossession borrowers.

Debtor is among those within the protected class.

8. Claimant's failure to inform the Court of the Settlement constitutes bad faith.

9. In addition, Claimant failed to provide an adequate basis for its claim which requires the attachment of a statement pursuant to Bankruptcy Rule 3001(c)(2)(A). The supplied attachment is incoherent and fails to state the refund to be provided to Debtor by virtue of the Settlement which debtor submits is an offset that exceeds any amount claimed in the POC.

13. Because the POC fails to provide adequate supporting information as required under FRBP 3001(c), Debtor seeks an order precluding Claimant from presenting any omitted information in any contested matter or adversary proceeding and also seeks its reasonable expenses and any applicable attorneys' fees pursuant to FRBP 3001(c)(2)(D).

14. Said applicable attorneys' fees would be the amount of reasonable hourly fees times the number of hours spent by an attorney hired by Debtor to prosecute this Objection.

WHEREFORE, Debtor objects to POC No. 5 filed by Ally Bank and requests that it be stricken, and that the Court impose reasonable damages against Claimant.

/s/ Jeffrey M. Siskind
Jeffrey M. Siskind, Pro Se
3465 Santa Barbara Drive Wellington, FL 33414
TELEPHONE (561) 791-9565 FACSIMILE (561) 791-9581
Emails: jeffsiskind@msn.com & jeffsiskind@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the above Objection to Proof of Claim No. 5 was served upon creditors as shown on the attached Proof of Service of Document.

/s/ Jeffrey M. Siskind
Jeffrey M. Siskind, Pro Se

Financial Inc.'s failure to properly notice pre-repossession and post-repossession borrowers.

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14. Said applicable attorneys' fees would be the amount of reasonable hourly fees times the number of hours spent by an attorney hired by Debtor to prosecute this Objection.

WHEREFORE, Debtor objects to POC No. 5 filed by Ally Bank and requests that it be stricken, and that the Court impose reasonable damages against Claimant.

/s/ Jeffrey M. Siskind
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Emails: jeffsiskind@msn.com & jeffsiskind@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the above Objection to Proof of Claim No. 5 was served upon the Claimant and creditors as shown on the attached Proof of Service of Document.

/s/ Jeffrey M. Siskind
Jeffrey M. Siskind, Pro Se

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
17927 77th Lane, Loxahatchee, FL 33470

A true and correct copy of the foregoing document entitled: **NOTICE OF OBJECTION TO CLAIM** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 08/07/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:
United States Trustee (LA); ustpregion16.la.ecf@usdoj.gov
JaVonne M Phillips, McCarthy & Holthus, LLP; bknotice@mccarthyholthus.com
Arvind Nath Rawal; arawal@aisinfo.com
Nancy K Curry (TR); trustee13la@aol.com

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On (date) 08/07/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Vincent P. Zurzolo
United States Bankruptcy Court
Central District of California
255 East Temple Street, Suite 1360
Los Angeles, CA 90012

Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

08/07/2023 Josef Schneider
Date Printed Name

Signature

ATTACHMENT TO PROOF OF SERVICE OF DOCUMENT

Additional Party Served by U.S. Mail

Ally Bank
c/o AIS portfolio Services, LLC
4515 N. Santa Fe Avenue
Dept. APS
Oklahoma City, OK 73118